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CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

ASSEMBLY BILL

No. 472

Introduced by Assembly Member Cedillo
(Coauthors: Assembly Members Cogdill, Cohn, Dutra, Kehoe,
Lowenthal, and Salinas)

February 21, 2001

An act to add Sections 568.2 and 568.3 to the Code of Civil Procedure, and to amend Sections 17980.6 and 17980.7 of, and to add Chapter 6.1 (commencing with Section 50651) to Part 2 of Division 31 of, the Health and Safety Code, relating to housing.

LEGISLATIVE COUNSEL'S DIGEST

AB 472, as amended, Cedillo. Real property: substandard conditions.

(1) Existing law provides for abatement of substandard conditions in buildings, and authorizes a court to appoint a receiver in specified cases involving real property.

This bill would provide procedures for a receiver of real property containing rental housing to obtain a court order to assist in the abatement of substandard conditions. The bill would authorize

specified persons to file a motion in a receivership action for the purpose of seeking further instructions to the receiver. The bill would prescribe procedures whereby the owner of property would be required to pay relocation benefits to tenants who are displaced or subject to displacement by local enforcement activities.

(2) The State Housing Law authorizes a city, county, or city and county enforcement agency to issue an order or notice to repair a building to the owner if the building is maintained in a manner that violates any provisions of this law, the building standards published in the State Building Standards Code, or any other rule or regulation promulgated pursuant to the law, and the violations are so extensive and of a nature that the health and safety of the residents or the public is substantially endangered.

This bill would extend the applicability of these provisions to the violation of any provision in a local ordinance that is similar to a provision in the State Housing Law, and would authorize the issuance of an order or notice to abate.

(3) Under the State Housing Law, if the owner does not correct the condition that caused the violation within a reasonable time after the issuance of a notice or order to repair by a court as part of a civil or criminal judgment against the owner, or in a specified stipulation to a judgment by the owner, a court may impose criminal penalties upon the owner, and is authorized to order an owner not to claim any deduction with respect to state taxes for interest, taxes, expenses, depreciation, or amortization paid or incurred with respect to the cited structure, as well as the appointment of a receiver for a substandard building if certain conditions are met.

This bill would revise this provision to authorize the enforcement agency, if the owner does not correct the condition that caused the violation within a reasonable time after the issuance of a notice or order to repair by the enforcement agency, to seek the imposition of criminal penalties upon the owner, as well as an order to prohibit the owner from claiming any deduction for the above described state taxes. It would also authorize, if the owner does not correct the condition that caused the violation within a reasonable time after the issuance of a notice or order to repair by the enforcement agency, a court to order the appointment of a receiver.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.



The people of the State of California do enact as follows:

SECTION 1. Section 568.2 is added to the Code of Civil Procedure, to read:

568.2. (a) A receiver of real property containing rental housing shall notify the court of the existence of any order or notice to correct any substandard condition, as defined in Section 17920.3 of the Health and Safety Code, with which the receiver cannot comply within the time provided by the order or notice.

(b) The notice shall be filed within 30 days after the receiver's appointment or, if the substandard condition occurs subsequently, within 15 days of its occurrence.

(c) The notice shall inform the court of all of the following:

(1) The substandard conditions that exist.

(2) The threat or danger that the substandard conditions pose to any occupant of the property or the public.

(3) The approximate cost and time involved in abating the conditions. If more time is needed to approximate the cost, then the notice shall provide the date on which the approximate cost will be filed with the court and that date shall be within 10 days of the filing.

(4) Whether the receivership estate is likely to contain sufficient funds to abate the conditions.

(d) If the receivership estate does not contain sufficient funds to abate the conditions, the receiver shall request further instructions or orders from the court.

(e) The court, upon receipt of a notice pursuant to subdivision (d), shall consider appropriate orders or instructions to enable the receiver to correct the substandard conditions or to terminate or limit the period of receivership.

SEC. 2. Section 568.3 is added to the Code of Civil Procedure, to read:

568.3. Any tenant of real property that is subject to receivership, or any federal, state, or local enforcement agency, may file a motion in a receivership action for the purpose of seeking further instructions or orders from the court, if either of the following is true:

(a) Substandard conditions exist, as defined by Section 17920.3 of the Health and Safety Code.

(b) A dispute or controversy exists concerning the powers or duties of the receiver affecting a tenant or the public.

SEC. 3. Chapter 6.1 (commencing with Section 50651) is added to Part 2 of Division 31 of the Health and Safety Code, to read:

CHAPTER 6.1. TENANT RELOCATION ASSISTANCE

50651. Any tenant who is displaced or subject to displacement from a residential rental unit as a result of an order to vacate or an order requiring the vacation of a residential unit by a ~~governmental~~ *local enforcement* agency as a result of a violation so extensive and of such a nature that the immediate health and safety of the residents is endangered, shall be entitled to receive relocation benefits from the owner as specified in this chapter. The local enforcement agency shall determine the eligibility of tenants for benefits pursuant to this chapter.

50653. (a) The relocation benefits required by this chapter shall be paid *by the owner or designated agent* to the tenant within 10 days after the date that the order to vacate is first mailed to the owner and posted on the premises, or at least 20 days prior to the vacation date set forth in the order to vacate, whichever occurs later.

(b) If there are fewer than 10 days between the first posting and mailing of the order to vacate and the vacation date, the relocation benefits shall be paid *by the owner or designated agent* to the tenant within 24 hours after the notice is posted and mailed. The local enforcement agency shall attempt to provide telephonic or written notice to the owner to notify the owner that the benefits are payable immediately. Failure to provide the notice as specified in this section shall not relieve the owner of any obligations imposed by this chapter.

(c) If a tenant is entitled to relocation benefits pursuant to Section 50651, the local enforcement agency shall provide either telephonic or written notice to the tenant of his or her entitlement to the benefits. Written notice may ~~include a posting~~ *be satisfied by posting a written notice* on the premises stating that tenants may be entitled to relocation benefits.

50654. The relocation payment shall be made available *by the owner or designated agent* to one tenant household in each

1 residential unit and shall be a sum equal to two months of the
2 established fair market rent for the area as determined by the
3 Department of Housing and Urban Development pursuant to
4 Section 1437f of Title 42 of the United States Code. In addition,
5 the relocation payment shall include an amount, as determined by
6 the local enforcement agency, sufficient for utility service
7 deposits. The relocation benefits shall be paid *by the owner or*
8 *designated agent* in addition to the return, as required by law, of
9 any security deposits held by the owner. The relocation benefits
10 shall be payable on a per residential unit basis.

11 50655. (a) Any owner who does not make timely payment as
12 specified in Section 50653 shall be liable to the tenant for an
13 amount equal to one and one-half times the relocation benefits
14 payable pursuant to Section 50654.

15 (b) Subdivision (a) shall not apply when relocation benefits are
16 payable fewer than 10 days after the date the order to vacate is first
17 mailed and posted on the premises, if the owner makes the
18 payment no later than 10 days after the order is first mailed and
19 posted.

20 50656. (a) No relocation benefits pursuant to this chapter
21 shall be payable to any tenant who has caused or substantially
22 contributed to the condition giving rise to the order to vacate, as
23 determined by the local enforcement agency, nor shall any
24 relocation benefits be payable to a tenant if any guest or invitee of
25 the tenant has caused or substantially contributed to the condition
26 giving rise to the order to vacate, as determined by the local
27 enforcement agency. The local enforcement agency shall make the
28 determination whether a tenant, tenant's guest, or invitee caused
29 or substantially contributed to the condition, giving rise to the
30 order to vacate at the same time that the order to vacate the tenants
31 is made.

32 (b) Any owner shall not be liable for relocation payments if the
33 unit or structure becomes unsafe or hazardous as the result of a
34 natural disaster or act of God.

35 (c) If a tenant has caused or substantially contributed to the
36 uninhabitable condition of the unit or structure and the owner did
37 not cause or contribute to the condition, then the owner shall not
38 be required to pay relocation benefits to any other tenant subject
39 to the order to vacate. In that situation, the tenants of other units
40 within a multiunit structure rendered uninhabitable by a tenant and

1 who did not cause or substantially contribute to the uninhabitable
2 condition shall be eligible for relocation benefits from the local
3 enforcement agency, *if the local enforcement agency, pursuant to*
4 *locally adopted policies, offers to advance relocation payments in*
5 *accordance with Section 50654 to those tenants.*

6 (d) An owner shall not be liable to make any payment as
7 prescribed by this section if the local enforcement agency does not
8 provide for an appeals process for the order of the violation cited.

9 50657. (a) If the owner fails, neglects, or refuses to pay
10 relocation payments to a displaced tenant or a tenant subject to
11 displacement, except in the situations described in Section 50656
12 but excluding a nonculpable cotenant as described in subdivision
13 (c) of that section, the local enforcement agency may ~~tender~~
14 *advance relocation payments as specified in Section 50654. The*
15 ~~local enforcement agency shall~~ *If the local enforcement agency,*
16 *pursuant to locally adopted policies, offers to advance relocation*
17 *payments in accordance with Section 50654, the local enforcement*
18 *agency shall be entitled to recover from the owner any amount*
19 *paid to a tenant pursuant to this section except payments made*
20 *pursuant to subdivision (c) of Section 50653. The local*
21 *enforcement agency shall also be entitled to recover from the*
22 *owner an additional amount equal to the sum of one-half the*
23 *amount so paid, but not to exceed ten thousand dollars (\$10,000),*
24 *as a penalty for failure to make timely payment to the displaced*
25 *tenant, and the local enforcement agency's actual costs, including*
26 *direct and indirect costs, of administering the provision of benefits*
27 *to the displaced tenant.*

28 (b) Any amounts paid by the local enforcement agency, except
29 pursuant to subdivision (c) of Section 50656, and any applicable
30 penalties and actual costs may also be placed as a lien against the
31 property by the local enforcement agency by recording the lien in
32 the county recorder's office of the county in which the real
33 property is located.

34 (c) ~~Prior~~ *Any local enforcement agency that elects, at its own*
35 *option pursuant to subdivision (a), to advance relocation*
36 *payments to displaced tenants when the owner fails, neglects, or*
37 *refuses to pay relocation payments to displaced tenants, shall prior*
38 *to instituting any action to collect from the owner relocation*
39 *benefits paid pursuant to this section, or to impose a lien therefor,*
40 ~~the local enforcement agency shall~~ *send to the owner by first-class*

1 mail, postage prepaid, at the owner's address as shown on the last
 2 equalized assessment roll, an itemized accounting of all benefits
 3 paid by the local enforcement agency to the owner's tenants, and
 4 any penalties or costs the local enforcement agency is seeking to
 5 recover as authorized pursuant to subdivision (a). If the owner
 6 contends that not all of the benefits are chargeable to the owner
 7 because the recipients were not displaced tenants, no benefits were
 8 payable pursuant to Section 50656, or on other grounds, the owner
 9 shall submit a written appeal to the director of the local
 10 enforcement agency within 20 days after receipt by the owner of
 11 the itemized accounting. The director, or the director's designee,
 12 shall hold an ~~informal~~ *administrative* hearing for the purpose of
 13 determining the amount of benefits paid that are chargeable to the
 14 owner, and any penalties or costs the local enforcement agency
 15 may recover pursuant to subdivision (a). *The local enforcement*
 16 *agency shall provide an administrative appeal process for any*
 17 *appeal of a decision of the director or the director's designee.* The
 18 final decision of the ~~director~~ *local appellate body* shall be subject
 19 to Section 1094.5 of the Code of Civil Procedure. If the owner fails
 20 to obtain a more favorable decision than that set forth in the
 21 itemized accounting, the owner shall be liable to the local
 22 enforcement agency for the costs of the *administrative hearing*
 23 *and* appeal, not to exceed five thousand dollars (\$5,000). The
 24 failure to receive the itemized accounting shall not relieve the
 25 owner of any obligation to the city or county.

26 (d) Nothing in this chapter shall be construed to require the
 27 local enforcement agency to pay any relocation benefits to any
 28 tenant, *or assume any obligation, requirement, or duty of the*
 29 *owner pursuant to this chapter.*

30 50658. Notwithstanding subdivision (b) of Section 50653 and
 31 subdivision (a) of Section 50657, if there are fewer than 10 days
 32 between the first posting and mailing of the order to vacate and the
 33 vacation date, and if the local enforcement agency advances
 34 relocation benefits to any tenants, *prior to the expiration of the*
 35 *10-day period*, the owner shall not be required to reimburse the
 36 local enforcement agency for a charge identified on the itemized
 37 accounting described in subdivision (c) of Section 50657 if the
 38 owner contests the charge within 30 days after the itemized
 39 accounting is mailed to the owner pursuant to subdivision (c) of
 40 Section 50657. The owner shall pay the charge that was the subject

1 of the appeal *pursuant to subdivision (c) of Section 50657* within
2 30 days after an adverse decision by the director of the local
3 enforcement agency on the appeal is mailed to the owner.

4 50659. The remedies under this chapter are cumulative and in
5 addition to any other remedies available under federal, state, or
6 local law.

7 50659.1. Any order ~~requiring a tenant's displacement by a~~
8 *local agency that requires a tenant's displacement and is* issued to
9 an owner or tenant, shall be accompanied by a summary of the
10 provisions of this chapter. Failure to provide a summary shall not
11 relieve any person of the obligations imposed by this chapter.

12 50659.2. While it is the intent of the Legislature in enacting
13 this chapter to provide an expedient means by which to provide
14 relocation funds to tenants, nothing in this chapter shall be
15 construed to limit the rights available to owners under any other
16 provision of law. Furthermore, nothing in this chapter shall be
17 construed to deprive an owner of procedural due process rights
18 guaranteed by law, including, but not limited to, a right to file a
19 judicial action against a local enforcement agency that
20 ~~unreasonably issues an order to vacate and requires the owner to~~
21 ~~pay relocation costs.~~

22 ~~50659.3. Prior to seeking reimbursement for the payment of~~
23 ~~relocation benefits has failed to proceed in a manner required by~~
24 ~~law.~~

25 50659.3. *When seeking reimbursement adopting an optional*
26 *local program intended to advance relocation payments to*
27 *displaced tenants when the owner fails, neglects, or refuses to pay*
28 *relocation payments to displaced tenants pursuant to the*
29 *provisions of this chapter, the local code enforcement agency shall*
30 ~~first seek reimbursement from any~~ *explore the potential of using*
31 *funds from any available* federally funded program that provides
32 tenant relocation assistance in cases of local code enforcement
33 activities.

34 SEC. 4. Section 17980.6 of the Health and Safety Code is
35 amended to read:

36 17980.6. If any building is maintained in a manner that
37 violates any provisions of this part, the building standards
38 published in the State Building Standards Code relating to the
39 provisions of this part, any other rule or regulation adopted
40 pursuant to the provisions of this part, or any provision in a local

ordinance that is similar to a provision in this part, and the violations are so extensive and of such a nature that the health and safety of residents or the public is substantially endangered, the enforcement agency may issue an order or notice to repair or abate pursuant to this part. Any order or notice pursuant to this subdivision shall be provided either by both posting a copy of the order or notice in a conspicuous place on the property and by first-class mail to each affected residential unit, or by posting a copy of the order or notice in a conspicuous place on the property and in a prominent place on each affected residential unit. The order or notice shall include, but is not limited to, all of the following:

(a) The name, address, and telephone number of the agency that issued the notice or order.

(b) The date, time, and location of any public hearing or proceeding concerning the order or notice.

(c) Information that the lessor cannot retaliate against a lessee pursuant to Section 1942.5 of the Civil Code.

SEC. 5. Section 17980.7 of the Health and Safety Code is amended to read:

17980.7. If the owner fails to comply within a reasonable time with the terms of the order or notice issued pursuant to Section 17980.6, the following provisions shall apply:

(a) The enforcement agency may seek and the court may order imposition of the penalties provided for under Chapter 6 (commencing with Section 17995).

(b) (1) The enforcement agency may seek and the court may order the owner to not claim any deduction with respect to state taxes for interest, taxes, expenses, depreciation, or amortization paid or incurred with respect to the cited structure, in the taxable year of the initial order or notice, in lieu of the enforcement agency processing a violation in accordance with Sections 17274 and 24436.5 of the Revenue and Taxation Code.

(2) If the owner fails to comply with the terms of the order or notice to correct the condition that caused the violation pursuant to ~~Section 17980.5~~ 17980.6, the court may order the owner to not claim these tax benefits for the following year.

(c) The enforcement agency, tenant, or tenant association or organization may seek and the court may order, the appointment of a receiver for the substandard building pursuant to this

1 subdivision. In its petition to the court, the enforcement agency,
2 tenant, or tenant association or organization shall include proof
3 that notice of the petition was served not less than three days prior
4 to filing the petition, pursuant to Article 3 (commencing with
5 Section 415.10) of Chapter 4 of Title 5 of Part 2 of the Code of
6 Civil Procedure, to all persons with a recorded interest in the real
7 property upon which the substandard building exists.

8 (1) In appointing a receiver, the court shall consider whether
9 the owner has been afforded a reasonable opportunity to correct
10 the conditions cited in the notice of violation.

11 (2) The court shall not appoint any person as a receiver unless
12 the person has demonstrated to the court his or her capacity and
13 expertise to develop and supervise a viable financial and
14 construction plan for the satisfactory rehabilitation of the building.

15 (3) If a receiver is appointed, the owner and his or her agent of
16 the substandard building shall be enjoined from collecting rents
17 from the tenants, interfering with the receiver in the operation of
18 the substandard building, and encumbering or transferring the
19 substandard building or real property upon which the building is
20 situated.

21 (4) Any receiver appointed pursuant to this section shall have
22 all of the following powers and duties in the order of priority listed
23 in this paragraph, unless the court otherwise permits:

24 (A) To take full and complete control of the substandard
25 property.

26 (B) To manage the substandard building and pay expenses of
27 the operation of the substandard building and real property upon
28 which the building is located, including taxes, insurance, utilities,
29 general maintenance, and debt secured by an interest in the real
30 property.

31 (C) To secure a cost estimate and construction plan from a
32 licensed contractor for the repairs necessary to correct the
33 conditions cited in the notice of violation.

34 (D) To enter into contracts and employ a licensed contractor as
35 necessary to correct the conditions cited in the notice of violation.

36 (E) To collect all rents and income from the substandard
37 building.

38 (F) To use all rents and income from the substandard building
39 to pay for the cost of rehabilitation and repairs determined by the

1 court as necessary to correct the conditions cited in the notice of
2 violation.

3 (G) To borrow funds to pay for repairs necessary to correct the
4 conditions cited in the notice of violation and to borrow funds to
5 pay for any relocation benefits authorized by paragraph (6) and
6 secure that debt, with court approval, with a lien on the real
7 property upon which the substandard building is located. The lien
8 shall be recorded in the county recorder's office in the county
9 within which the building is located.

10 (H) To exercise the powers granted receivers under Section 568
11 of the Code of Civil Procedure.

12 (5) The receiver shall be entitled to the same fees,
13 commissions, and necessary expenses as receivers in actions to
14 foreclose mortgages.

15 (6) If the conditions of the premises or the repair or
16 rehabilitation thereof significantly affect the safe and sanitary use
17 of the substandard building by any tenant, to the extent that the
18 tenant cannot safely reside in his or her unit, then the receiver shall
19 provide relocation benefits in accordance with subparagraph (A)
20 of paragraph (3) of subdivision (d).

21 (7) The relocation compensation provided for in this section
22 shall not preempt any local ordinance that provides for greater
23 relocation assistance.

24 (8) In addition to any reporting required by the court, the
25 receiver shall prepare monthly reports to the state or local
26 enforcement agency which shall contain information on at least the
27 following items:

28 (A) The total amount of rent payments received.

29 (B) Nature and amount of contracts negotiated relative to the
30 operation or repair of the property.

31 (C) Payments made toward the repair of the premises.

32 (D) Progress of necessary repairs.

33 (E) Other payments made relative to the operation of the
34 building.

35 (F) Amount of tenant relocation benefits paid.

36 (9) The receiver shall be discharged when the conditions cited
37 in the notice of violation have been remedied in accordance with
38 the court order or judgment and a complete accounting of all costs
39 and repairs has been delivered to the court. Upon removal of the
40 condition, the owner, the mortgagee, or any lienor of record may

1 apply for the discharge of all moneys not used by the receiver for
2 removal of the condition and all other costs authorized by this
3 section.

4 (10) After discharging the receiver, the court may retain
5 jurisdiction for a time period not to exceed 18 consecutive months,
6 and require the owner and the enforcement agency responsible for
7 enforcing Section 17980 to report to the court in accordance with
8 a schedule determined by the court.

9 (11) The prevailing party in an action pursuant to this section
10 shall be entitled to reasonable attorney's fees and court costs as
11 may be fixed by the court.

12 (12) The county recorder may charge and collect fees for the
13 recording of all notices and other documents required by this
14 section pursuant to Article 5 (commencing with Section 27360) of
15 Chapter 6 of Division 2 of Title 3 of the Government Code.

16 (13) Nothing in this section shall be construed to limit those
17 rights available to tenants and owners under any other provision
18 of the law.

19 (14) Nothing in this section shall be construed to deprive an
20 owner of a substandard building of all procedural due process
21 rights guaranteed by the California Constitution and the United
22 States Constitution, including, but not limited to, receipt of notice
23 of the violation claimed and an adequate and reasonable period of
24 time to comply with any orders which are issued by the
25 enforcement agency or the court.

26 (d) If the court finds that a building is in a condition which
27 substantially endangers the health and safety of residents pursuant
28 to ~~subdivision (a) of~~ Section 17980.6, upon the entry of any order
29 or judgment, the court shall do all of the following:

30 (1) Order the owner to pay all reasonable and actual costs of the
31 enforcement agency including, but not limited to, inspection costs,
32 investigation costs, enforcement costs, attorney fees or costs, and
33 all costs of prosecution.

34 (2) Order that the local enforcement agency shall provide the
35 tenant with notice of the court order or judgment.

36 (3) (A) Order that if the owner undertakes repairs or
37 rehabilitation as a result of being cited for a notice under this
38 chapter, and if the conditions of the premises or the repair or
39 rehabilitation thereof significantly affect the safe and sanitary use
40 of the premises by any lawful tenant, so that the tenant cannot

1 safely reside in the premises, then the owner shall provide or pay
2 relocation benefits to each lawful tenant. These benefits shall
3 consist of actual reasonable moving and storage costs and
4 relocation compensation. The actual moving and storage costs
5 shall consist of all of the following:

6 (i) Transportation of the tenant's personal property to the new
7 location. The new location shall be in close proximity to the
8 substandard premises, except where relocation to a new location
9 beyond a close proximity is determined by the court to be justified.

10 (ii) Packing, crating, unpacking, and uncrating the tenant's
11 personal property.

12 (iii) Insurance of the tenant's property while in transit.

13 (iv) The reasonable replacement value of property lost, stolen,
14 or damaged (not through the fault or negligence of the displaced
15 person, his or her agent or employee) in the process of moving,
16 where insurance covering the loss, theft, or damage is not
17 reasonably available.

18 (v) The cost of disconnecting, dismantling, removing,
19 reassembling, reconnecting, and reinstalling machinery,
20 equipment, or other personal property of the tenant, including
21 connection charges imposed by utility companies for starting
22 utility service.

23 (B) (i) The relocation compensation shall be an amount equal
24 to the differential between the contract rent and the fair market
25 rental value determined by the federal Department of Housing and
26 Urban Development for a unit of comparable size within the area
27 for the period that the unit is being repaired, not to exceed 120
28 days.

29 (ii) If the court finds that a tenant has been substantially
30 responsible for causing or substantially contributing to the
31 substandard conditions, then the relocation benefits of this section
32 shall not be paid to this tenant. Each other tenant on the premises
33 who has been ordered to relocate due to the substandard conditions
34 and who is not substantially responsible for causing or
35 contributing to the conditions shall be paid these benefits and
36 moving costs at the time that he or she actually relocates.

37 (4) Determine the date when the tenant is to relocate, and order
38 the tenant to notify the enforcement agency and the owner of the
39 address of the premises to which he *or she* has relocated within five
40 days after the relocation.

(5) (A) Order that the owner shall offer the first right to occupancy of the premises to each tenant who received benefits pursuant to subparagraph (A) of paragraph (3), before letting the unit for rent to a third party. The owner's offer on the first right to occupancy to the tenant shall be in writing, and sent by first-class certified mail to the address given by the tenant at the time of relocation. If the owner has not been provided the tenant's address by the tenant as prescribed by this section, the owner shall not be required to provide notice under this section or offer the tenant the right to return to occupancy.

(B) The tenant shall notify the owner in writing that he or she will occupy the unit. The notice shall be sent by first-class certified mail no later than 10 days after the notice has been mailed by the owner.

(6) Order that failure to comply with any abatement order under this chapter shall be punishable by civil contempt, penalties under Chapter 6 (commencing with Section 17995), and any other penalties and fines as are available.

(e) The initiation of a proceeding or entry of a judgment pursuant to this section or Section 17980.6 shall be deemed to be a "proceeding" or "judgment" as provided by paragraph (4) or (5) of subdivision (a) of Section 1942.5 of the Civil Code.

(f) The term "owner," for the purposes of this section, shall include the owner, including any public entity that owns residential real property, at the time of the initial notice or order and any successor in interest who had actual or constructive knowledge of the notice, order, or prosecution.

(g) These remedies shall be in addition to those provided by any other law.

(h) Nothing in this section or in Section 17980.6 shall impair the rights of an owner exercising his or her rights established pursuant to Chapter 12.75 (commencing with Section 7060) of Division 7 of Title 1 of the Government Code.